

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

P.O. DOMINIQUE JOHNSON and P.O. HASSAN GORDY v. CITY OF PHILADELPHIA, et al.	CIVIL ACTION NO. 20-472
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ORDER

AND NOW, this 12th day of June, 2020, upon consideration of Defendants' Motion to Dismiss (ECF 10), and Plaintiffs' Response in Opposition (ECF 11), for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** as follows:

- By the agreement of Counsel for Plaintiffs, Defendant Grebolski's Motion to Dismiss **Counts I and II** of the Amended Complaint is **GRANTED** without prejudice;
- Defendants McCoy and Sullivan's Motion to Dismiss **Count I** of the Amended Complaint is **GRANTED**, without prejudice and with leave to amend within fourteen (14) days from the date of this Order;
- Defendants' Motion to Dismiss **Count II** of the Amended Complaint is **DENIED**;
- Defendants' Motion to Dismiss **Count III** of the Amended Complaint is **DENIED**;
- and
- Defendants' Motion to Dismiss (ECF 6) is **DENIED** as moot.

BY THE COURT:

s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.